

### **REMARKS**

Claims 1-49 are pending in the application. Claims 1-25 and 28-49 stand rejected. Claims 26-27 have been indicated as containing allowable subject matter. Claims 1, 22-25, 28 and 44-47 have been amended. Claims 21, 26-27, 43 and 48-49 have been canceled. Claims 50-53 have been added. In view of the following remarks, reconsideration and withdrawal of this ground for rejection is requested.

#### **Claim Rejections Under 35 U.S.C. §102(b)**

Claims 1-20, 28-36 and 40-42 stand rejected under 35 U.S.C. §102(b) as being anticipated by Camp, Jr. et al. (U.S. Patent No. 6,194,963, hereinafter "Camp"). Claim 1 has been amended. Claim 1 now reads:

A method for electromagnetic processing of an input wave comprising the steps of:  
receiving a modified signal derived from two or more signals that represent said input wave when combined; and  
regulating said modified signal using at least one analog signal containing a characteristic of said two or more signals, said regulation being performed by at least one device or device segment for receiving at least one analog control signal. [Emphasis Added]

As such, Claim 1 now requires that the regulation of the modified signal using at least one analog signal be performed by at least one device or device segment for receiving at least one analog control signal. For example, the specification states that, "[t]he digital words may be converted to

analog signals and used to provide control for amplification of the modulated signal...”  
(Specification, Para. 0031).

Camp appears to be directed toward a circuit and method for I/Q modulation with independent, high efficiency amplitude modulation. Camp does not suggest or disclose the regulation of a signal using an analog signal by a device for receiving at least one analog control signal. Rather, in sharp contrast to Applicant’s Claim 1, Camp discloses converting an analog signal to a digital control signal for input into a power amplifier for signal transmission. (See Camp Col. 3, line 34-Col. 4, line 5). Specifically, Camp states, “The modified control signal is applied to a modulation 36 that creates a sequence of one bit digital signals whose average mimics the input waveform...The [control signal] is applied through a low pass filter 40 with the smooth voltage being connected to the drain or collector of the power amplifier 26.” (Camp Col. 3, line 57 – Col. 4, line 1). Therefore, Camp cannot anticipate Applicant’s Claim 1. Claim 28 has been amended similarly to Claim 1. Claims 2-20 depend either directly or indirectly from Claim 1 and Claims 29-26 and 40-42 depend either directly or indirectly from Claim 28. Therefore, Camp cannot anticipate Claims 1-20, 28-36 and 40-42.

#### **Double Patenting Claim Rejections**

Claims 1-13, 19, 21-25, 28-30, 32, 35, 37-42 and 43-49 stand rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1-13, 19, 20-24, 27-30, 33, 36-38 and 40-46 of U.S. Patent No. 6,870,435 (the ‘435 Patent). Independent claims 1 and 28 have been amended and independent claims 21 and 43 have been

canceled in favor of new independent claims 50-53. Claims 1, 28 and 50-53 commonly include an element for regulating a modified signal using at least one analog signal where the regulation is performed by at least one device or device segment for receiving at least one analog control signal.

The '435 Patent does not claim the subject matter of amended independent claims 1, 28 and 50-53 of the present application. Claims 2-13 and 19 depend either directly or indirectly from claim 1; claims 22-25 depend either directly or indirectly from claim 50; claims 29-30, 32, 35 and 37-42 depend either directly or indirectly from claim 28; and claims 42-47 depend either directly or indirectly from claim 52. Claims 48-49 have been canceled. As such, claims 1-13, 19, 22-25, 28-30, 32, 35, 37-42 and 44-47 of the present application do not define an invention that is merely an obvious variation of the inventions claimed in the '435 Patent. Therefore, claims 1-13, 19, 22-25, 28-30, 32, 35, 37-42 and 44-47 cannot be rendered unpatentable by the '435 Patent.

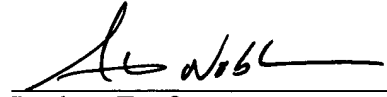
Claims 26-27 have been indicated as containing allowable subject matter. Claims 26-27 have been canceled in favor of new independent claims 50-51, which contain elements of claims 26-27 written in independent form. Claims 22-25 have been amended to depend from new independent claim 50.

Appl. No. 10/606,079  
Amdt. Dated February 6, 2006  
Reply to Office Action of November 4, 2005

**Conclusion**

In view of the foregoing, the Applicants respectfully submit that the Application is now in condition for allowance, which is respectfully requested.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Paul A. Taufer", is written over a horizontal line.

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